

REMARKS

Claims 3, 4 and 6 are amended herein to correct informalities in the claims. No new matter is presented. Upon entry of the amendment, claims 1-6 will be all of the claims pending in the application.

I. Election Requirement

In paragraph 1 on page 2 of the Action, claims 1-6 are restricted. The Examiner states that claims 1-6 are generic to a plurality of disclosed patentably distinct species comprising various materials embraced by the recited base resin composition and requires Applicants to elect a single disclosed species.

Applicants elect polyolefin as the elected species, i.e., polyethylene (PE) and polypropylene (PP), as the base resin.

II. Claim Rejections under 35 U.S.C. § 112, 2nd Paragraph

In paragraph 3, claims 1-6 are rejected under 35 U.S.C. § 112, 2nd paragraph, as allegedly being indefinite.

The Examiner states that the phrase "polyamide ultra fine fibers-dispersed polyolefin resin" is indefinite as to its scope and meaning because it is unclear which component comprises ultrafine fibers and which component is dispersed.

As to claim 2, the Examiner questions how polyamide fibers can be comprised of silica particles.

The Examiner further objects to the recitations of "a" range in claims 3 and 4, "a" blend ratio in claim 4, and "a" mean fiber and "an" aspect ratio in claim 6.

With respect to the phrase “polyamide ultra fine fibers-dispersed polyolefin resin”, Applicants respectfully traverse the rejection and submit that the specification describes that the polyamide component in the polyamide ultrafine fibers-dispersed polyolefin resin composition forms fibers that are uniformly dispersed in the matrix of the composition. See page 12, lines 18-20. Therefore, when read in light of the specification, one of ordinary skill in the art would readily understand the meaning and scope of the claim language, i.e., the polyamide fibers are dispersed in the matrix of the resin composition.

With respect to claim 2, Applicants submit that the phrase “the polyamide fibers are composed of the silica particles” means that the silica particles are dispersed in the polyamide fibers, which is readily understood by those of ordinary skill in the art. See also page 16, line 21 to page 17, line 3 of the specification.

As for the Examiner’s rejection of the terms “a range”, “a blend ratio”, “a mean fiber” and “an aspect ratio”, Applicants submit that the recitations of “a” and “an” as in the present claims are commonly used in U.S. practice and are not indefinite. At best the rejection is based on informalities that may serve as a basis for an objection to the claims but do not rise to the level of indefiniteness to sustain a rejection of the claims under 35 U.S.C. § 112, 2nd paragraph. Nevertheless, claims 3, 4 and 6 are amended herein to replace the words “a” and “an” with “the” to expedite and facilitate examination.

In view of the above, Applicants respectfully request withdrawal of the rejections under 35 U.S.C. § 112, 2nd paragraph.

III. Claim Rejection Under 35 U.S.C. § 102

Claims 1-6 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by, or, in the alternative, under 35 U.S.C. § 103(a) as unpatentable over WO 99/48973.

Applicants respectfully traverse the rejection and submit that WO '973 does not disclose, teach or suggest the claimed invention. The claimed invention is directed to an insulating member, comprised of an abrasion-resistant resin composition prepared by mixing (1) a base resin with (2) a polyamide ultrafine fibers-dispersed polyolefin resin composition comprising (a) a polyolefin, (b) polyamide fibers, (c) a silane coupling agent and (d) silica particles. The "polyamide ultrafine fibers-dispersed polyolefin resin composition" may be prepared by either of methods (A) and (B) described at page 13, lines 16-20 of the specification, *et. seq.*

The present claims call for silica particles, whereas the corresponding component of WO '973 is a "phyllosilicate". The phyllosilicate in WO '973 has a layer structure (molecular-sheet-like structure including various atoms or molecules trapped between sheets) as its name indicates, different from the silica particles required by the claimed invention.

Further, an object of the present invention is to provide an insulating member that has improved abrasion resistance over the single use of individual resins. Page 4, lines 14-16. It is disclosed in the specification that when the mixture of polyolefin and polyamide, silane coupling agent and silica particles is kneaded with the base resin, the "additional resin composition", i.e., the polyamide ultrafine fibers-dispersed polyolefin resin composition, contributes to the constituent components of the mixture developing desirable heat history and pressure history properties. In addition to the bonding formed between the silane-modified part of the

polyolefin with the silane coupling agent and the hydrogen amido bond of the polyamide fibers, additional bonding of the silane-modified part of the polyolefin to the silica particles may be formed. Thus, the "additional resin composition" is a critical element of the claimed invention, which is not taught or suggested by WO '973. Thus, one of ordinary skill in the art would not have been motivated to modify the disclosure of WO '973 with a reasonable expectation of success in achieving the claimed invention.

In view of the above, the claimed invention is neither anticipated nor rendered obvious over the art. Accordingly, Applicants respectfully request withdrawal of the rejection under 35 U.S.C. § 102 /103.

IV. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. APPLN. NO. 10/693,932

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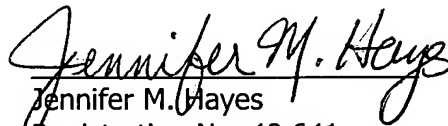
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